

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHEILA GREENBERG and BUDDIE GREENBERG,

Plaintiffs,

-against-

HOME DEPOT U.S.A., INC.,

Defendant.

**RESPONSE TO FIRST
REQUEST FOR PRODUCTION
OF DOCUMENTS**

Civil Action No.: CV 07 10675

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The plaintiffs, SHEILA GREENBERG and BUDDIE GREENBERG, by their attorneys, Davidson & Cohen, P.C., as and for their Response To The First Request For Production Of Documents, upon information and belief, respond as follows:

1. The plaintiff is not in possession of any photographs or videotapes of the accident location.
2. The plaintiff is not in possession of any photographs or videotapes of the injuries sustained by the plaintiff.
3. The plaintiff is not in possession of any receipts or credit card charge slip for any product purchased at the Home Depot store that day.
4. Attached hereto is a copy of the accident report filled out at Home Depot immediately following this accident.
5. This document is in the possession of the defendant.
6. None.
7. None.
8. A copy of the accident report filled out immediately following this accident is attached.

9. The plaintiff is not in possession of any written statement obtained by the plaintiff from any and all witnesses to this accident.

10. The plaintiff has not made a claim for lost income as a result of this accident.

11. The plaintiff has not made a claim for any loss of business earnings as a result of this accident.

12. The plaintiff has not made a claim for any personal property damage as a result of this accident.

13. The plaintiff has not made a claim for any personal property damage as a result of this accident.

14. Other than the parties to this action, the plaintiff identified the following witnesses:

Sylvia Sparer and Erica Murantz, their addresses to be provided.

15. Attached is a copy of the accident report filled out immediately following this accident.

16. The plaintiff is not in possession of any photographs of the condition involved in this incident.

17. The plaintiff is not in possession of any written complaints made to Home Depot prior to this incident.

18. The plaintiff has not retained the services of an expert witness as of this date.

19. These documents would be in the possession of the defendant.

20. The plaintiff has not made a claim for loss of property, earnings or other economic loss other than the cost of the medical treatment rendered to the plaintiff.

21. Annexed hereto is a copy of documents from the collateral source provider.

22. Annexed hereto is an authorization allowing you to obtain all records from the collateral

source provider.

23. Plaintiff is unaware of any written investigation reports, accident reports or local citations or violations issued as a result of this incident and is, therefore, unable to provide an authorization for same.

24. The plaintiff has previously furnished you with copies of all medical reports from all healthcare providers and has previously furnished authorizations for you to obtain copies of their records, diagnostic tests and films.

25. The plaintiff has not made a claim for loss of earnings.

26. Attached is an authorization allowing you to obtain the records from the plaintiff's employer.

27. The plaintiffs reside at 3135 Johnson Avenue, Bronx, New York 10463.

28. An authorization for all pharmacy records will be provided at a later date.

Dated: Rockville Centre, New York
April 14, 2008

Yours, etc.

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